

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 05222.00163)

20 Rec'd PCT/PTO SEP 26 2001

09/868689

In the Application of:

Nichols, et al.

Serial No.: 09/868,689

Filed: February 8, 1999

For: A System, Method and Article of Manufacture for
a Simulation System for a Simulation Engine
with a Help Website and Processing Engine

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)
)
) Examiner:

) Winston M. Alvarado
)

) Attn: DO/EO/US
)
)

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 USC 371

BOX PCT

Assistant Commissioner For Patents
Washington, D.C. 20231

Sir:

This is in response to the Notification of Missing Requirements Under 35 USC 371 mailed on August 1, 2001. In order to complete the filing requirements, Applicants enclose herewith copies of the Oath and Declarations executed in U.S. Patent Application No. 09/218,749, in pursuance with the provisions of MPEP 602.05(a). U.S. Patent Application No. 09/218,749 is the parent application and contains the same inventive entity. Also enclosed is a copy of said Notification of Missing Requirements.

The Commissioner is authorized to charge all fees required to Deposit Account No. 01-0850.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Date: September 26, 2001

By: 

Charles L. Miller
Reg. No. 43,805



U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/868689	NICHOLS	M 05222.00163
INTERNATIONAL APPLICATION NO.		
PCT/US99/02714		
I.A. FILING DATE	PRIORITY DATE	
08 FEB 99	22 DEC 98	

CHARLES L MILLER
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TEN S WACKER DRIVE SUITE 3000
CHICAGO, IL 60606 7407

DATE MAILED: 01 AUG 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):
- | | |
|--|---|
| <input checked="" type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Indication of Small Entity Status. |
| <input checked="" type="checkbox"/> Copy of the international application. | <input type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventors(s). | <input type="checkbox"/> Translation of Article 19 amendments into English. |
| <input type="checkbox"/> Copy of Article 19 amendments. | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Priority Document. | |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. | |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English. | |
2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
- | | |
|---|---|
| <input type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Copy of the international application. |
|---|---|
3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- | | |
|--|--|
| <input type="checkbox"/> a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date. | |
| <input type="checkbox"/> The current translation is defective for the reasons indicated on the attached Notice of Defective Translation. | |
| <input type="checkbox"/> b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)). | |
| <input checked="" type="checkbox"/> c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date. | |
| <input type="checkbox"/> The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917. | |
| <input type="checkbox"/> d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)). | |
4. Additional claim fees of \$_____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.492(f)).

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

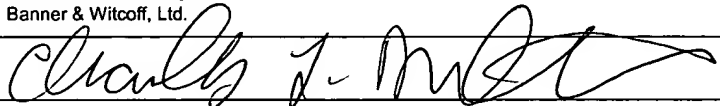
Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

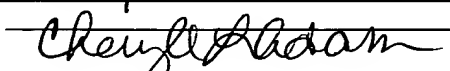
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/868,689
		Filing Date	08 February 1999
		First Named Inventor	Nichols, et al.
		Group Art Unit	
		Examiner Name	
Total Number of Pages in This Submission	10	Attorney Docket Number	05222.00163

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Notification of Missing Requirement under 35USC371 Copy of Combined Declaration and Power of Attorney filed in US Application No. 09/218,749
Remarks	The Commissioner is authorized to charge all fees required to Deposit Account No. 01-0850.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Charles L. Miller (Reg. No. 43,805) Banner & Witcoff, Ltd.
Signature	
Date	September 26, 2001

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service, via Express Mail, in an envelope addressed to: BOX PCT - Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:	
<div style="border: 1px solid black; padding: 5px; display: inline-block;">September 26, 2001</div>	

Typed or printed name	Cheryl L. Adam		
Signature		Date	September 26, 2001


Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail No. EL735119415US

Deposited September 26, 2001

I hereby certify that the attached correspondence, identified below, is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box PCT, Washington, DC 20231.

By: 
(person actually depositing)

Patent Application of: Nichols, et al.

Serial No. 09/868,689

Title: A System, Method and Article of Manufacture for a Simulation System
for a Simulation Engine with a Help Website and Processing Engine

- ☒ Response to Notification of Missing Requirements Under 35 USC 371
- ☒ Copy of Combined Declaration and Power of Attorney filed in
U.S. Application 09/218,749
- ☒ Copy of Notification of Missing Requirements of 8-1-2001
- ☒ Transmittal Form (in duplicate)
- ☒ Certificate of Express Mailing
- ☒ Return Postcard

Attorney Docket No. 05222.00163